

REMARKS

Claims 1, 3-10, 12-15, and 17-22 are pending in the present application. In the Office Action mailed June 1, 2007, the Examiner rejected claims 15, 17-20, and 21-22 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Examiner next rejected claims 1, 3-10, 12-15, 17-19, 21, and 22 under 35 U.S.C. § 102(e) as being anticipated by Hardy et al. (USP 6,876,199) (hereinafter Hardy).

Claim 20 was indicated as containing allowable subject matter. Such indication is appreciated.

§ 101 Rejections:

The Examiner rejected claims 15, 17-20, and claims 21-22 under 25 U.S.C § 101 as being directed to an abstract idea: non-statutory subject matter. Applicant has amended claims 15 to call for, in part, storage of the acquired MR data in computer memory. With regard to claims 21-22, Applicant has amended claims 21 and 22 to call for, in part, acquiring and storing MR data from the truncated FOV. Applicant believes such amendments put claims 15, 17-20, and 21-22 on stable footing to overcome the § 101 rejections by clearly directing the claims to statutory subject matter..

In light of the foregoing amendments, Applicant respectfully requests the Examiner to withdraw the § 101 rejections to claims 15, 21, and 22, and all claims depending therefrom.

§ 102(e) Rejections:

The Examiner rejected claims 1, 9, 15, 21, and 22 under 35 U.S.C § 102(e) as being anticipated by Hardy. Applicant respectfully disagrees.

Claim 1 calls for, in part, a computer programmed to acquire MR data from a field of view (FOV) that is smaller in a frequency encode direction than in a phase encode direction and programmed to define the FOV such that the frequency encode direction extends parallel to an anterior/posterior axis extending through the bore. To begin, Hardy does not teach or suggest a FOV that has its frequency encoding direction extending parallel to the anterior/posterior axis extending through the bore aspect at Examiner asserted. *Office Action*, 06/01/2007, pg. 3. The Examiner stated that Applicant previously argued that Hardy “fails to teach or fairly suggest the step wherein the phase encode direction extends parallel to an anterior/posterior axis extending through the bore.” *Office Action*, 06/01/2007, pg. 7 (*emphasis added*). Applicant respectfully

disagrees. In Applicant's response filed March 13, 2007, Applicant explained that while claim 1 calls for definition of the FOV such that the frequency encode direction extends parallel to an anterior/posterior axis extending through the bore, Hardy teaches the frequency encoding direction to be in a superior/inferior direction. *See Response*, 03/13/2007, pg. 6-7. That is, the frequency encode direction as taught in Hardy is orthogonal to the frequency encode direction called for in claim 1.

In other words, Applicant's frequency encoding direction extends in the front/rear direction: not parallel to the usual Z direction. In contrast, Hardy's frequency encoding direction extends in the superior/inferior (head/toe) direction: parallel to the usual Z direction. *Hardy*, Figs. 2 and 3; col. 6, lns. 1-8. That is to say, Applicant's frequency encoding direction is orthogonal to Hardy's frequency encoding direction: they are at right angles to each other.

With regard to claim 1, 9, 15, and 21, the Examiner stated that col. 4, lines 46-66 of Hardy disclose a frequency encode direction that extends parallel to an anterior/posterior axis extending through the bore. *Office Action*, 06/01/2007, pg. 3. However, the Hardy citation only discusses coil and receiver element placement, not the frequency encode direction. The referred to citation does not disclose, teach, or suggest the frequency encode direction. Instead, col. 6, lines 1-3 of Hardy teach that the frequency encode direction is in a superior/inferior direction.

Since Hardy teaches that the frequency encode direction is in a superior/inferior direction and since claim 1 calls for the frequency encode direction parallel to an anterior/posterior axis, the frequency encode directions of Hardy and claim 1 are orthogonal, and, therefore, Hardy does not anticipate claim 1.

Claims 9, 15, and 21-22 similarly call for a frequency encode direction that is parallel to an anterior/posterior axis. As explained above, Hardy teaches the frequency encode direction to be orthogonal to that called for in claims 9, 15, and 21-22. Accordingly, Hardy does not anticipate claims 9, 15, and 21-22.

In consideration of the foregoing, Applicant respectfully requests the withdrawal of the § 102(e) rejections to claims 1, 9, 15, and 21-22, and all claims depending therefrom.

Therefore, in light of at least the foregoing, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1, 3-10, 12-15 and 17-22.

Applicant appreciates the Examiner's consideration of these Amendments and Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,

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Dated: August 1, 2007
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General Authorization and Extension of Time

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 07-0845. Should no proper payment be enclosed herewith, as by credit card authorization being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 07-0845. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extensions under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 07-0845. Please consider this a general authorization to charge any fee that is due in this case, if not otherwise timely paid, to Deposit Account No. 07-0845.

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